

**BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

Meeting Date: April 20, 2005

Division: County Attorney

Bulk Item: Yes XX No     

Staff Contact Person: Pedro Mercado

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**AGENDA ITEM WORDING:** Approval of settlement agreement in Code Enforcement lien in Monroe County V. Richard P. and Marie H. Geranian.

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**ITEM BACKGROUND:** Homeowner rented home to third party. Third party then enclosed porch without homeowner's permission. Homeowner became aware of the enclosure when the property was cited by Code Enforcement. Homeowner was cooperative and diligent in correcting the violation which totaled \$1,500 at the time the violation was brought into compliance. After consultation with the Code Enforcement Director, based on the homeowner's efforts and lack of prior violations, it was determined that it would be appropriate to settle this case for \$150 (ten percent of the fine total).

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**PREVIOUS RELEVANT BOCC ACTION:**

None

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**CONTRACT/AGREEMENT CHANGES:**

N/A

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**STAFF RECOMMENDATIONS:**

Accept the settlement offer.

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**TOTAL COST:** N/A

**BUDGETED:** Yes      No     

**COST TO COUNTY:** N/A


**SOURCE OF FUNDS:** N/A

**REVENUE PRODUCING:** Yes XX No     

**AMOUNT PER MONTH**      **Year**     

**APPROVED BY:** County Atty XX OMB/Purchasing      Risk Management     

**DIVISION DIRECTOR APPROVAL:**

 03/08/05  
JOHN R. COLLINS, COUNTY ATTORNEY

**DOCUMENTATION:** Included     

Not Required XX

**DISPOSITION:**                                     

**AGENDA ITEM #**

**BEFORE THE CODE ENFORCEMENT SPECIAL MASTER  
OF MONROE COUNTY, FLORIDA  
The Honorable J. Jefferson Overby, Presiding**

**MONROE COUNTY, FLORIDA**

**Petitioner,**

**vs.**

**CASE NO.: CE03110054**

**MARIE H. GERANIAN,  
Respondent(s)**

\_\_\_\_\_ /

**SETTLEMENT AGREEMENT**

The Petitioner, Board of County Commissioners of Monroe County and Marie H. Geranian, Respondent(s), hereby agree to settle the code enforcement lien imposed in the above-referenced case by the Special Master against property owned by the Respondent(s) as follows:

1. The parties agree to settle the code enforcement lien for \$150.00.
2. The property in question has a legal description of 51 BOUNDARY LANE, LT 10, BK 6 GEIGER KEY, MONROE COUNTY FLORIDA (RE#:00146120-000000).
3. Upon approval of this agreement by the Board of County Commissioners, the Respondent(s) shall remit a check in the amount of \$150.00 made payable to the Board of County Commissioners.
4. Once the aforementioned check has cleared, the County will issue to the Respondent(s) a release and satisfaction of said lien for filing by the Respondent(s) in the Official Records of Monroe County.
5. The County will file a copy of the release and satisfaction in the official Code Enforcement file.
6. By entering into this agreement, the each party agrees to waive any and all claims that it could have raised and/or potential claims that it

might have been able to raise as a result of the above-captioned code enforcement case.

7. Both parties warrant that they have had an opportunity to consult with counsel before entering into this agreement.
8. Each party agrees to bear its own costs and attorney's fees other than as specified in this agreement.

**ATTEST:**

**DANNY L. KOLHAGE**  
CLERK:

**BOARD OF COUNTY COMMISSIONERS**  
**OF MONROE COUNTY**

By: \_\_\_\_\_  
**Deputy Clerk**

By: \_\_\_\_\_  
**Dixie Spehar, Mayor**

Dated \_\_\_\_\_

**MARIE H. GERANIAN, Respondent**

\_\_\_\_\_  
**Notary Public**

By: \_\_\_\_\_  
**(date)**

**This document was approved as to form by:**

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